

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AF-08
ARA-06 EA-07 EUR-12 NEA-10 AID-05 EB-07 OMB-01 COME-00
TRSE-00 DHA-02 /117 W
-----180108Z 072456 /63

R 172353Z JAN 77
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 2070
INFO USMISSION GENEVA

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E.O. 11652: N/A
TAGS: ECOSOC, SHUM
SUBJECT: ECOSOC ORGANIZATIONAL SESSION (JANUARY 11-14):
HUMAN RIGHTS

REF: (A) USUN 0087; (B) STATE 007934

1. SUMMARY: THERE WAS A LONG DEBATE OVER THE INCLUSION IN ECOSOC'S WORK PROGRAM OF A DECISION TO REFER TO THE HUMAN RIGHTS COMMISSION GA RESOLUTION 31/33 ON "ADVERSE CONSEQUENCES" FOR HUMAN RIGHTS IN SOUTHERN AFRICA (INCLUDING CONSEQUENCES OF THE USE OF THE SECURITY COUNCIL VETO BY THE US, UK AND FRANCE). IT WAS RESOLVED BY A SEPARATE VOTE ON THIS PASSAGE, WHICH WAS APPROVED BY 33-8(US)-10(INCLUDING USSR). BEFORE THE VOTE THE UK WITHDREW ITS PROPOSED AMENDMENT (SUPPORTED BY THE US AND SEVERAL OTHER WEO'S) TO DELETE THIS PASSAGE AND BULGARIA WITHDREW ITS PROPOSAL (SUPPORTED BY MANY G-77) FOR A PRIOR VOTE ON THE COMPETENCE OF ECOSOC TO EVEN QUESTION THE GA ACTION BY CONSIDERING THE UK PROPOSAL. THE VOTE WENT ABOUT AS EXPECTED; ITS PRIMARY PURPOSE WAS TO MAINTAIN A CLEAR RECORD OF OPPOSITION BY THE WESTERN PERMANENT MEMBERS OF THE SECURITY COUNCIL.
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END SUMMARY.

2. ECOSOC ORGANIZATIONAL SESSION TOOK UP IN ITS FORMAL MEETINGS JANUARY 14 THE QUESTION OF INCLUDING IN ITS 1977 PROGRAM OF WORK (DOC E/L.1743) A DECISION TO REFER TO THE COMMISSION ON HUMAN RIGHTS, INTER ALIA, GA RESOLUTION 31/33 ON ADVERSE CONSEQUENCES FOR HUMAN RIGHTS IN SOUTHERN AFRICA

OF ASSISTANCE TO RACIST REGIMES. DISCUSSION OF THE MATTER IN INFORMAL ECOSOC MEETINGS REPORTED REFTEL A HAD LEFT THIS THE ONLY ASPECT OF THE WORK ON WHICH INFORMAL CONSENSUS COULD NOT BE REACHED.

3. FORMAL DEBATE WENT OVER MUCH OF THE SAME GROUND AS THE PREVIOUS INFORMAL DEBATE BUT SPUN OUT INTO A DAY-LONG, CONVOLUTED PROCEDURAL WRANGLE. THE UK INTRODUCED ITS AMENDMENT TO DELETE THIS PASSAGE, STATING IT WAS IMPROPER FOR ONE CHARTER ORGAN (I.E. ECOSOC) TO REVIEW THE ACTIVITIES OF ANOTHER (I.E. THE USE OF VETO IN SECURITY COUNCIL); THAT UK ENDORSED THE VIEW THAT ECOSOC SHOULD GENERALLY DO WHAT THE GA ASKS OR "INVITES" IT TO DO, BUT DID NOT AGREE THAT ECOSOC HAD NO DISCRETION; THAT, IN REFERRING TO ACTIONS OF THREE WESTERN COUNTRIES, GA RESOLUTION 31/33 SET A PRINCIPLE THAT COULD APPLY TO OTHERS; AND THAT CONSENSUS ON THE WORK PROGRAM WAS DESIRABLE.

4. AS INSTRUCTED, US REP MYERSON SUPPORTED TH UK PROPOSAL AND RATIONALE, ADDING THAT THE ISSUE DID NOT CONCERN SUBSTANCE OF ECONOMIC OR SOCIAL POLICY BUT INVOLVED PRINCIPLE AND IMPORTANT POLITICAL ELEMENTS; THAT RESOLUTION 31/33 WAS WRONG ON PRINCIPLES AND UNWISE POLITICALLY, AND THAT ECOSOC REFERRAL TO THE HUMAN RIGHTS COMMISSION WOULD BE EQUALLY WRONG; THAT, WHILE WE WERE NOT DISCUSSING SUBSTANCE AT THE ECOSOC ORGANIZATIONAL SESSION, WE CONTINUED TO FEEL STRONGLY ON SUBSTANCE; AND THAT A TRUE CONSENSUS WAS DESIRABLE. IN A SEPARATE INTERVENTION MYERSON STRESSED THAT THE US OPPOSITION TO REFERRAL TO THE HUMAN RIGHTS COMMISSION LIMITED OFFICIAL USE

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HAD NOTHING TO DO WITH APARTHEID OR MAJORITY RULE IN SOUTHERN AFRICA ON WHICH OUR VIEWS WERE WELL KNOWN.

5. FRANCE, THE FRG AND JAPAN ALSO SPOKE IN SUPPORT OF THE UK AMENDMENT. (NETHERLANDS AND PORTUGAL HAD SPOKEN IN INFORMAL SESSION.)

6. THOSE SPEAKING AGAINST WERE: SUDAN, UPPER VOLTA, ALGERIA, ETHIOPIA, YUGOSLAVIA, NIGERIA, UGANDA, JAMAICA, PAKISTAN, VENEZUELA, YEMEN, BULGARIA, MEXICO, SOMALIA, AND THE OAU OBSERVER. ARGUMENTS INCLUDED THE CONTNTIONS THAT THE ECOSOC WAS OBLIGED TO COMPLY WITH THE GA'S "INVITATION" AND HENCE HAD NO AUTHORITY TO QUESTION RESOLUTION 31/33; THAT THE UK AMENDMENT WOULD SET AN UNFORTUNATE PRECEDENT BOTH IN THIS RESPECT AND IN RESPECT TO CUSTOMARY ADOPTION OF ECOSOC'S WORK PROGRAM BY CONSENSUS. THE CHAIRMAN (SMID OF CZECHOSLOVAKIA) SUGGESTED AND BULGARIA PROPOSED FIRST A VOTE UNDER ECOSOC RULE 56 ON ECOSOC'S COMPETENCE TO CONSIDER THE UK AMENDMENT, SETTING OFF A FURTHER PROCEDURAL WRANGLE.

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7. THE MATTER WAS FINALLY RESOLVED THROUGH A PRE-COOKED PROPOSAL OF TWO ECOSOC VICE PRESIDENTS (IRAN AND COLOMBIA), RELUCTANTLY AGREED TO BY THE THIRD (SUDAN), FOR A SEPARATE VOTE ON THE CONTENTIOUS PASSAGE, WITH A REQUEST TO THE UK AND BULGARIA NOT TO PRESS THEIR OWN PROPOSALS. THE PASSAGE WAS APPROVED VOTE OF 33 (BULGARIA, CHINA, G-77)-8 (DENMARK, FRANCE, FRG, ITALY, JAPAN, NETHERLANDS, UK, US)-10 (AUSTRIA, CANADA, CZECHOSLOVAKIA, IRAN, NEW ZEALAND, NORWAY, POLAND, PORTUGAL, UKRAINE, USSR), WITH THREE ABSENT (GABON, GREECE, KENYA). THE ECOSOC PROGRAM OF WORK WAS THEN ADOPTED WITHOUT VOTE.

8. USSR EXPLAINED IT HAD ABSTAINED FOR THE SAME REASONS AS ON RESOLUTION 31/33, WHICH IT SUPPORTED WITH EXCEPTION OF PARAGRAPH 8 (ON CONSEQUENCES OF THE VETO), WHICH COULD ACTUALLY BE USED TO WEAKEN THE OPPONENTS OF APARTHEID; STATED USSR SUPPORTS THE PRINCIPLE OF UNANIMITY IN THE SECURITY COUNCIL AND OPPOSES ANY ATTEMPT TO QUESTION THE VETO. POLAND ECHOED. BULGARIA, HAVING VOTED IN ISOLATION FROM THE SOVIET BLOC, SAID IT ALSO SUPPORTED THE PRINCIPLE OF UNANIMITY IN THE SECURITY COUNCIL, BUT HAD VOTED "YES" IN THE SEPARATE VOTE BECAUSE OF THE CONSTITUTIONAL QUESTION INVOLVED. UPPER
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VOLTA, NIGERIA, PAKISTAN AND MEXICO ALSO MADE BRIEF EXPLANATIONS, ALONG THE GENERAL LINES THAT THE GA'S INTENTIONS WERE NOT CHALLENGED.

9. COMMENT: WHILE THE UK TOOK THE LEAD, WE PROVIDED ACTIVE SUPPORT. SINCE THE OUTCOME OF THE VOTE WAS PREDICTABLE, THE MAIN VIRTUES OF THIS EXERCISE WERE (A) TO KEEP THE RECORD OF US/UK/FRENCH OPPOSITION CLEAR AS WE NEAR THE HUMAN RIGHTS COMMISSION MEETING AND (B) TO FORC THE USSR TO REPEAT ITS THIRD COMMITTEE ABSTENTION (BECAUSE OF THE VETO QUESTION) ON A RESOLUTION WHICH IT NORMALLY WOULD HAVE SUPPORTED AS A PROPAGANDA MOVE AGAINST THE MAJOR WESTERN POWERS. AT THE SAME TIME, THE PLOY OF A SEPARATE VOTE ON THIS ISSUE PERMITTED CONSENSUS ADOPTION OF THE ECOSOC WORK PROGRAM -- A TRADITION IT IS IN OUR INTEREST TO MAINTAIN.
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Message Attributes

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Disposition Approved on Date:
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Disposition Date: 22 May 2009
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